



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,371	09/14/2004	James C. Raddin	040802	5370
35501 7590 03/22/2007 LAFKAS PATENT LLC 7811 LAUREL AVENUE CINCINNATI, OH 45243			EXAMINER STORMER, RUSSELL D	
			ART UNIT 3617	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
2 MONTHS	03/22/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/711,371	Applicant(s) RADDIN ET AL.	
	Examiner Russell D. Stormer	Art Unit 3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2006.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/26/06 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. The drawings are objected to under 35 U.S. C. 132 because the changes made to the drawings in the amendment filed December 26, 2006 introduce new matter into the disclosure.

In figure 3:

The addition of the third discs 55 and the pawls 64 upon which they are mounted is new matter because there was no description in the originally filed disclosure of the size and shape of the third discs as now shown.

Further, the addition of the reference character 62 to point out the bearing clutch is new matter because the element referred to by the newly added character 62 was and still is also referred to by the reference character 38 as the outer edge of the hub 35. There was no indication that this element was also the bearing clutch.

The addition of the fourth discs 70 is new matter because there was no indication in the original disclosure for the size and shape of the discs 70, or for the little bumps near the outer peripheries of the discs.

The lead line from the reference character 27 has been changed to no longer refer to the back side of the disc as originally disclosed.

The addition of the reference character 60 to refer to the mounting brackets is new matter inasmuch as there was no description of exactly where these brackets would be disclosed, and because the reference character 60 refers to what was formerly called the back side of the first disc.

Art Unit: 3617

In figure 4:

While the showing of the second openings 31 is not in itself new matter, presenting these openings as oval in shape is new matter since there was no description in the originally filed disclosure of the second openings being oval in shape. It would have been presumed that these second openings would be the same shape as the first openings 26.

Upon further consideration, the objection to the drawings as not showing these second openings as claimed would not be repeated if figure 4 were to be amended to remove the oval shapes.

See 37 CFR 1.121(f).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

Art Unit: 3617

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The addition of the reflective materials 75 to figure 4 is not objected to.

Disclosure

3. The disclosure is objected to because of the following informalities:

The reference character 35 is described as the hub or center hole (paragraphs 37 and 39) but the reference character in amended figure 3 points to an inner portion of the disc 25, not to a hole or the hub of the wheel. The reference character 36 is described as the center of the hub 35, and 38 is described as an outer edge of the hub 35, but neither of these appears to be correct since they are not shown as being on the same part of the hub 35 in either the original or amended figure 3.

Appropriate correction is required.

Allowable Subject Matter

4. Claims 1-19 are allowable over the prior art of record.

Response to Arguments

5. Applicant's arguments filed December 26, 2006 have been fully considered but they are not persuasive.

First, it is noted that Applicants' Remarks state that the drawings were objected to as "allegedly not showing every figure of the invention" as claimed. These were actually not shown, and many of the claimed features of the claims were added to the drawing figures, and Applicants even acknowledge that the allegedly missing features are now shown in the amended drawings. The use of the term "alleged" improperly casts doubt on the accuracy of the objection.

Next, Applicants state that the abstract was objected to as "allegedly including the word "means." The use of the word "allegedly" is in error since the originally filed abstract actually did contain the word "means" and was even amended to remove it as acknowledged by Applicants.

In describing the changes made to figures 3 and 4, Applicants state that the drawings have been amended to show the features of the claimed invention as requested by the Patent Office. However, this is not correct since the previous office action merely stated that the missing elements "must be shown or the features cancelled from the claims."

Conclusion

6. This application is in condition for allowance except for the formal matters noted in paragraph 1 above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

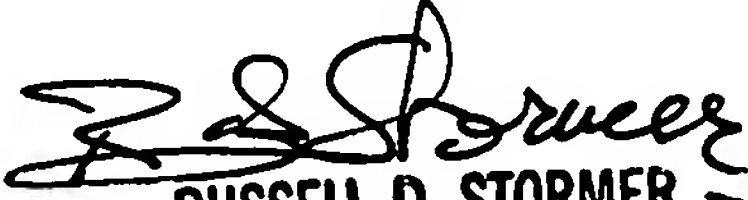
A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell D. Stormer whose telephone number is (571) 272-6687. The examiner can normally be reached on Monday through Friday, 9 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe Morano can be reached on (571) 272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3/19/07


RUSSELL D. STORMER
PRIMARY EXAMINER 3/19/07